

## **AMENDMENT TO THE CLAIMS**

The presently pending claims are set forth herein below.

Claims 1 -12 (Cancelled).

13. (Previously Presented) A passivation solution for forming an amorphous oxide layer over an implantable device, said passivation solution comprising:

a pH buffering solution; and,

sodium nitrate, wherein said sodium nitrate provides oxygen in the formation of said amorphous oxide layer over the implantable device.

14. (Previously Presented) The passivation solution of Claim 13, wherein said pH buffering solution comprises at least one pH buffer chemical selected from the group consisting of sodium bicarbonate, sodium carbonate, sodium hydroxide, and combinations thereof, wherein said pH buffer chemical functions as an oxygen donor.

15. (Previously Presented) The passivation solution of Claim 13, wherein said pH buffering solution comprises sodium bicarbonate, sodium carbonate and sodium hydroxide in a ratio of approximately 1:1:1.

16. (Previously Presented) The passivation solution of Claim 13, wherein said pH buffering solution comprises sodium bicarbonate, sodium carbonate and sodium hydroxide in a ratio of approximately 1:1:10.

17. (Previously Presented) The passivation solution of Claim 13, wherein said pH buffering solution comprises sodium bicarbonate, sodium carbonate and sodium hydroxide in a ratio of approximately 1:1:20.

18. (Original) The passivation solution of Claim 13, further comprising nitric acid.

19. (Original) The passivation solution of Claim 13, further comprising hydrochloric acid.

Claims 20-42 (Cancelled).

43. (Previously Presented) The passivation solution of Claim 14, wherein said passivation solution comprises a composition of approximately 1000g/l of said sodium nitrate, approximately 15g/l of said sodium bicarbonate, approximately 15g/l of said sodium carbonate, and approximately 15g/l of said sodium hydroxide.

44. (Previously Presented) The passivation solution of Claim 14, wherein said passivation solution comprises said sodium nitrate within a range of approximately 10-2000 g/l.

45. (Previously Presented) The passivation solution of Claim 44, wherein said passivation solution comprises said sodium bicarbonate within a range of approximately 0.1-50 g/l.

46. (Previously Presented) The passivation solution of Claim 45, wherein said passivation solution comprises said sodium carbonate within a range of approximately 0.1-50 g/l.

47. (Previously Presented) The passivation solution of Claim 46, wherein said passivation solution comprises said sodium hydroxide within a range of approximately 0.1-50 g/l.

48. (Previously Presented) A passivation solution for forming an amorphous oxide layer over an implantable device, said passivation solution comprising:

sodium bicarbonate;

sodium carbonate;

sodium hydroxide; and,

sodium nitrate, wherein said sodium nitrate provides oxygen in the formation of said amorphous oxide layer over the implantable device, and

wherein said passivation solution comprises a pH of approximately 10 or higher.

49. (Previously Presented) The passivation solution of Claim 48, wherein said amorphous oxide layer is formed over the implantable device by a method comprising the

steps of heating said passivation solution to boiling temperature, and thereafter adding the implantable device to said boiling passivation solution to passivate the implantable device for a selected period of time.

50. (Previously Presented) The passivation solution of Claim 48, wherein said passivation solution comprises a composition of approximately 1000g/l of said sodium nitrate, approximately 15g/l of said sodium bicarbonate, approximately 15g/l of said sodium carbonate, and approximately 15g/l of said sodium hydroxide.

51. (Previously Presented) The passivation solution of Claim 48, wherein said passivation solution comprises said sodium nitrate within a range of approximately 10-2000 g/l.

52. (Previously Presented) The passivation solution of Claim 51, wherein said passivation solution comprises said sodium bicarbonate within a range of approximately 0.1-50 g/l.

53. (Previously Presented) The passivation solution of Claim 52, wherein said passivation solution comprises said sodium carbonate within a range of approximately 0.1-50 g/l.

54. (Previously Presented) The passivation solution of Claim 53, wherein said passivation solution comprises said sodium hydroxide within a range of approximately 0.1-50 g/l.

Claims 55-72 (Cancelled).